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13.08.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 18815 of 2024

**Subinoy Modak
-versus
The State of West Bengal & Ors.**

**Mr. Sudipta Dasgupta,
Mr. Sondwip Sutradhar.
...For the Petitioner.**

**Mr. Ratul Biswas,
Mr. Kaushik Chowdhury.
...For WBBPE.**

**Ms. Sulagna Bhattacharya,
Mr. Sajal Pandit.
...For the State.**

**Mr. Anath Nath Naskar,
Mr. Sutirtha Nayek.
...For the Proforma Respondent.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner and the respondent no. 11 both applied for mutual transfer. The applications are pending consideration before the West Bengal Board of Primary Education.

Without going into the merits of the application, the instant writ petition is disposed of by directing the Secretary, West Bengal Board of Primary Education to consider the said application in accordance with law, at the earliest, but positively within a period of 90 days from the date of communication of this order. A

reasoned order shall be passed and communicated to the petitioners immediately thereafter.

As the petitioner has already put in more than two years of service, accordingly, the Board will not insist upon production of the letter of confirmation at the time of consideration of the application seeking transfer.

The Board shall seek the necessary information as regards the status of the teachers and the vacancy statement from the concerned District Primary School Council who shall immediately transfer the required data to the Board for compliance of the order passed hereinabove.

Learned advocate for the petitioner is directed to forward a copy of the application seeking transfer to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)